

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK
AUTHORIZING A CHANGE IN SCOPE TO THE PROFESSIONAL SERVICE
AGREEMENT WITH T&M ASSOCIATES APPOINTED AS ONE OF THE 2015
TOWNSHIP ENVIRONMENTAL ENGINEERS TO INCLUDE ADDITIONAL
CONTRACT DESIGN, ADMINISTRATION SERVICES AND SITE REVIEW
FOR SITE REMEDIATION AND IMPROVEMENTS AT
VETERANS PARK AND A PORTION OF
THE ADJOINING BOARD OF EDUCATION PROPERTY (PSE&G EASEMENT)**

WHEREAS, resolution 16-1.15 approved by the Township Council authorized T&M Associates, with offices at Eleven Tindall Road, Middletown, New Jersey 07748, to provide environmental engineering consulting services for calendar year 2015, as awarded under a fair and open contract process, pursuant to the provisions of N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, in 2003, the Board of Education (BOE) started the process of enlarging and renovating the North Brunswick Township High School, and during construction activities of the new High School auditorium wing addition in July 2003, waste material predominantly containing pharmaceutical and laboratory vials and other laboratory glassware was unearthed; and

WHEREAS, in 2003, on behalf of the BOE and the Township, Powell~Harpstead, Inc. (currently Kleinfelder) conducted a remedial investigation at the High School, Veterans Park and surrounding areas; and

WHEREAS, the contamination has since been removed from the High School and Plains Gap residential properties, leaving Veterans Park and the PSE&G easement (located on the adjoining BOE property) to be remediated; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) 2004 RAW and the Supplement proposed the removal of hotspots and the installation of engineering controls for the area within Veterans Park that was impacted with waste material; and

WHEREAS, the Veterans Park and High School remediation project was delayed, in part, due to the ongoing litigation and settlement process; and

WHEREAS, the Governing Body has authorized settlements of the related litigation and has since received sufficient funding from the settling parties to commence with the remediation of Veterans Park, and of the Board of Education's property (PSE&G easement) and miscellaneous soil piles; and

WHEREAS, the Township Council previously authorized in 2014, municipally appointed engineering firm, T&M Associates to provide LSRP, Design and Bid Phase services for the Veterans Park Remediation and Improvements Project (\$234,400.00); and

WHEREAS, the project went out to bid and Contract BID15006 was awarded in May 2015 to Applied Landscape Technologies for site remediation and improvements at Veterans Park and a portion of the adjoining Board of Education property (PSE&G Easement); and

WHEREAS, in May 2015 T&M Associates was authorized a 2015 contract amendment to include: Contract Administration and Inspection Services an amount not to exceed \$372,000.00 (\$300,000.00 non-LSRP Services and \$72,000.00 LSRP Services); and

WHEREAS, at the request of the Township, T&M has provided a proposal for additional design services previously rendered relating to the Veterans Park Improvement Project that included additional conceptual plans, a new restroom/concession building (services to be completed), stormwater management improvements, and a redesign of the softball field; and

WHEREAS, compensation for said services shall be based upon their May 4, 2015/Revised August 27, 2015 proposal, for a lump sum additional fee of \$31,231.00; and

WHEREAS, in August 2015 additional soil contamination sites were discovered by the baseball field; and

WHEREAS, at the request of the Township, T&M was engaged to performed analytical data to delineate the contaminated site locations and work with the contractor on an amended course of action not included within the bid; and

WHEREAS, T&M has provided a proposal for the additional costs not included in the original scope work completed to date associated with the investigation of the baseball field soil contamination (\$79,250.00), as well as a not to exceed cost for estimated additional environmental work necessary to address the impacted soil remaining (\$74,150.00) totaling \$153,400.00; and

WHEREAS, the professional services summary for the Veterans Park Project includes:

2014 LSRP, Design, Bid Phase:	\$234,400.00
2015 LSRP and Construction Administration:	\$372,000.00
2015 Additional Design:	\$ 31,231.00
<u>2015 Additional Environmental Work:</u>	<u>\$153,400.00</u>
2015 Summary:	\$556,631.00
<u>2014/2015 Summary:</u>	<u>\$791,031.00</u>

WHEREAS, services for this project will be funded from settlement proceeds (site remediation portion) and existing capital existing capital ordinances 04-05 and 14-10 (park improvements portion).

NOW, THEREFORE, BE IT RESOLVED on this 8th day of September, 2015 that the Township Council of the Township of North Brunswick does hereby authorize the Mayor to execute and the Township Clerk to witness an amendment to the current agreement with T&M Associates for additional design services rendered for the Veterans Park Improvement Project for a lump sum additional fee of \$31,231.00 plus services relating to additional soil contamination for a not to exceed amount of \$153,400 for a revised 2015 contract authorization amount not to exceed \$556,631.00.

BE IT FURTHER RESOLVED notice of this action shall be published in the Home News & Tribune as required by law within 10 (ten) days after its passage.

CERTIFICATION

I, Kala Sriranganathan, Chief Financial Officer of the Township of North Brunswick, certify that funds in the following accounts are available under Contracts:

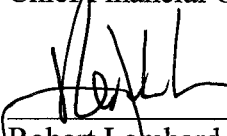
PRO15044:

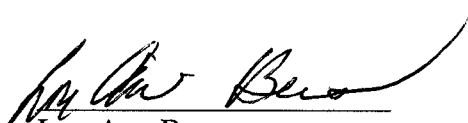
\$31,231 are available in FY2015 14-10 Capital account C-04-55-C15-141-903

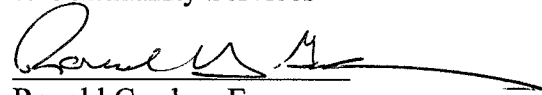
PRO15045:

\$107,919.16 are available in FY2015 14-10 Capital account C-04-55-C15-141-903 and \$45,480.84 are available in 04-05 Soil Remediation Capital C-04-55-C04-022-101.


Kala Sriranganathan
Chief Financial Officer


Robert Lombard
Business Administrator


Lou Ann Benson
Director of Parks, Recreation
& Community Services


Ronald Gordon, Esq.
Township Attorney
Approved as to legal form